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Dkt. 0575/61136/JPW/AJM/AJD

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Andrew R. Marks and Steven O. Marx

U.S. Serial No.: 09/766,944 Examiner: A.M. Harris

Filed: January 22, 2001 Art Unit: 1642

For: P27 PREVENTS CELLULAR MIGRATION

1185 Avenue of the Americas
New York, New York 10036
October 27, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

This Supplemental Information Disclosure Statement is submitted under 37 C.F.R. §1.97(c)(2) to supplement the Information Disclosure Statements filed April 20, 2001 and May 24, 2002 in connection with the above-identified application.

In accordance with their duty of disclosure under 37 C.F.R. §1.56, applicants direct the Examiner's attention to the following references which are listed on the attached Form PTO-1449 (**Exhibit A**), and attached hereto as **Exhibits 1-11**:

1. U.S. Patent No. 6,177,272 B1, issued January 23, 2001 to Nabel et al. (**Exhibit 1**);

2. PCT International Publication No. WO 91/02140, published February 1, 1996 (**Exhibit 2**);

3. Braun-Dullaeus et al. (1997) Regulation of vascular smooth muscle cell proliferation by the cyclin-dependent kinase inhibitor $p27^{KIP1}$. J. Invest. Med. 45(3): 224A (**Exhibit 3**);

4. Chen, D. et al. (1997) Downregulation of cyclin-dependent kinase 2 activity and cyclin A promoter activity in

vascular smooth muscle cells by $p27^{KIP1}$, and inhibitor of neointima formation in the rat carotid artery. J. Clin. Invest. 99(10): 2334-2341 (**Exhibit 4**);

5. Hirai, A. et al. (1997) Geranylgeranylated rho small GTPase(s) are essential for the degradation of $p27^{Kip1}$ and facilitate the progression from G1 to S phase in growth-stimulated rat FRTL-5 cells. J. Biol. Chem. 272(1): 13-16 (**Exhibit 5**);

6. Kawamata, S. et al. (1998) The upregulation of p27 by rapamycin results in G1 arrest in exponentially growing T-cell lines. Blood 91(2): 561-569 (**Exhibit 6**);

7. McArthur, J. G. (1999) Cancer gene therapy with novel chimeric p27/p16 tumor suppressor genes. Proceedings of the Annual Meeting of the American Association for Cancer Research 40: 630 (**Exhibit 7**);

8. Sun, J. et al. (1999) Rapamycin inhibits vascular endothelial cell proliferation via induction of a cyclin-dependent kinase inhibitor. J. Am. Coll. Cardiol. 33(2): 250A-251A (**Exhibit 8**);

9. Tanaka, T. et al. (1998) Activation of cyclin-dependent kinase 2 (Cdk2) in growth stimulated rat astrocytes: geranylgeranylated rho small GTPase(s) are essential for the induction of cyclin E gene expression. J. Biol. Chem. 273(41): 26772-26778 (**Exhibit 9**);

10. Tanner, F.C. et al. (1998) Expression of cyclin-dependent kinase inhibitors in vascular disease. Circ. Res. 82(3): 396-403 (**Exhibit 10**); and

11. Tanner, F.C. et al. (1997) Gene transfer of $p27^{K1P2}$ and $p21^{CIP1}$ cyclin-dependent kinase inhibitors, but not $p16^{INK}$, negatively regulate VSMC proliferation through differential effects on kinase activity. Circulation 96(8): 15 (**Exhibit 11**).

The Examiner is respectfully requested to make these references of record in the present application by initialing and returning a copy of the enclosed Form PTO-1449.

Applicants note that the above-listed references were previously cited in an International Search Report or in a Supplementary Partial European Search Report issued in connection with foreign counterparts of the subject application. A copy of the International Search Report is attached hereto as **Exhibit B**, and a copy of the Supplementary Partial European Search Report is attached hereto as **Exhibit C**.

Applicants also note that the second reference (WO 99/03508) cited in the July 23, 2004 International Search Report (**Exhibit B**) is not listed above because this reference was previously made of record in the subject application, having been cited to the Examiner in the Supplemental Information Disclosure Statement filed May 24, 2002. Similarly, the Luo et al. (1996) and Gallo et al. (1999) references cited in the September 29, 2004 Supplementary Partial European Search Report (**Exhibit C**) are not listed herein because they were previously disclosed in the Information Disclosure Statement filed April 20, 2001 in the subject application.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone them at the number provided below.

Pursuant to 37 C.F.R. §1.97(c)(2) and 1.17(p), a fee of one hundred and eighty dollars ($180.00) is required for filing this Supplemental Information Disclosure Statement. Accordingly, a check in the amount of ONE HUNDRED EIGHTY DOLLARS ($180.00) is enclosed. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
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10/27/04

Alan J. Morrison
Reg. No. 37,399

Date

Form PTO-1449 U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. 61136/JPW/AJM/AJD	Serial No. 09/766,944
INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	Applicant(s) Andrew R. Marks and Steven O. Marx	
	Filing Date January 22, 2001	Group Art Unit 1642

U.S. PATENT DOCUMENTS

Examiner Initials	Exh. No.	Document Number	Date	Name	Class	Subclass	Filing Date If Appropriate
	1	6 1 7 7 2 7 2	01/23/01	Nabel et al.			

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	2	9 1 0 2 1 4 0	02/01/96	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	3	Braun-Dullaeus et al. (1997) Regulation of vascular smooth muscle cell proliferation by the cyclin-dependent kinase inhibitor $p27^{KIP1}$. J. Invest. Med. 45(3): 224A;
	4	Chen, D. et al. (1997) Downregulation of cyclin-dependent kinase 2 activity and cyclin A promoter activity in vascular smooth muscle cells by $p27^{KIP1}$, and inhibitor of neointima formation in the rat carotid artery. J. Clin. Invest. 99(10): 2334-2341
	5	Hirai, A. et al. (1997) Geranylgeranylated rho small GTPase(s) are essential for the degradation of $p27^{Kipl}$ and facilitate the progression from G1 to S phase in growth-stimulated rat FRTL-5 cells. J. Biol. Chem. 272(1): 13-16;
	6	Kawamata, S. et al. (1998) The upregulation of p27 by rapamycin results in G1 arrest in exponentially growing T-cell lines. Blood 91(2): 561-569;
	7	McArthur, J. G. (1999) Cancer gene therapy with novel chimeric p27/p16 tumor suppressor genes. Proceedings of the Annual Meeting of the American Association for Cancer Research 40: 630;
	8	Sun, J. et al. (1999) Rapamycin inhibits vascular endothelial cell proliferation via induction of a cyclin-dependent kinase inhibitor. J. Am. Coll. Cardiol. 33(2): 250A-251A;
	9	Tanaka, T. et al. (1998) Activation of cyclin-dependent kinase 2 (Cdk2) in growth stimulated rat astrocytes: geranylgeranylated rho small GTPase(s) are essential for the induction of cyclin E gene expression. J. Biol. Chem. 273(41): 26772-26778;
	10	Tanner, F.C. et al. (1998) Expression of cyclin-dependent kinase inhibitors in vascular disease. Circ. Res. 82(3): 396-403; and
	11	Tanner, F.C. et al. (1997) Gene transfer of $p27^{KIP2}$ and $p21^{CIP1}$ cyclin-dependent kinase inhibitors, but not $p16^{INK}$, negatively regulate VSMC proliferation through differential effects on kinase activity. Circulation 96(8): 15.

EXAMINER	DATE CONSIDERED

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicants: Andrew R. Marks and Steven O. Marx
Serial No: 09/766,944
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Exhibit A